

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Serial Number: 10/600,327
Filing Date: 06/23/2003
Applicant(s) : YAO-HSUN HUANG
Title : Water suck device for feeding favorite domestic animals
EXAMINER : Elizabeth A. Shaw GROUP ART UNIT : 3644



Mailed May 4, 2005
Feng-Yuan City,
Taiwan 420, R.O.C.

Renewed petition under 37 CFR 1.181

TO : Renewed Petition Under 37 CFR 1.181
Commissioner for Patents
P.O. Box 1450,
Technology Center 3600,
Alexandria VA 22313-1450 U.S.A.
TEL:(703)308-0866

Sir:

My previous petition to Request for Withdrawal of Holding of Abandonment for the above-captioned patent application has been dismissed in an Office Letter of Mar. 16, 2005. Due to the strong presumption of the special programs Examiner that the properly addressed and delivered to the united states postal service was in fact delivered to the address. Yes, it is believable since the Notice of Abandonment was received by the applicant, why the Office Communication which has the same address was not received? But the Examiner neglects the fact that an ordinary mail forward to a foreign country of different language is very easily lost. I follow the suggestion of the Examiner to check through my file and my reminding book, there is no any trace has been found, when I asked my relatives who may touched and/or saw the Office Communication. They answers in concert that "I didn't seen that letter." In such circumstances, I couldn't provide further evidence except the following.

Respectfully submitted

YAO-HSUN HUANG

Yao-Hsun Huang
Applicant Pro Se
P. O. Box 697,
Feng-Yuan City 420,
Taichung Hsien,
Taiwan, R.O.C.
May 4, 2005

05/06/2005 HAL111
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial Number: 10/600,327

Filing Date: 06/23/2003

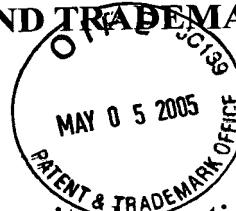
Applicant(s) : YAO-HSUN HUANG

Title : Water suck device for feeding favorite domestic animals

EXAMINER : Elizabeth A. Shaw

GROUP ART UNIT : 3644

Mailed May 4, 2005
Feng-Yuan City,
Taiwan 420, R.O.C.



Declaration:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willfully false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, united states code, section 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon, or any patent to which this verified statement is directed.

Accordingly, your rational judgment and the correct decision of this petition of Withdrawal of Holding of Abandonment for this case and the supplementary of a copy of the above Office Communication for enabling the applicant to file a timely reply is solicited.

Respectfully submitted

HUANG YAO-HSUN

Yao-Hsun Huang

Applicant Pro Se

P. O. Box 697,

Feng-Yuan City 420,

Taichung Hsien,

Taiwan, R.O.C.

May 4, 2005

Attachments: a check of USD 130 to pay petition fee.

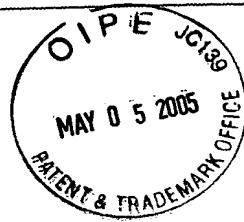
a copy of the decision of Mar. 16, 2005.

**a copy of the previous petition and append documents.
mail card.**

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UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Yao-Hsun Huang
P.O. Box 697
Feng-Yuan City, Taichung Hsien
420
Taiwan

MAILED
FROM DIRECTORS OFFICE

MAR 16 2005

TECHNOLOGY CENTER 3600

In re Application of
Yao-Hsun Huang
Application No. 10/600,327
Filed: June 23, 2003
For: WATER SUCK DEVICE FOR FEEDING
FAVORITE DOMESTIC ANIMALS

DECISION ON PETITION
TO WITHDRAW THE
HOLDING OF ABANDONMENT

This is a decision on applicant's petition to withdraw the holding of abandonment filed in the United States Patent and Trademark Office (USPTO) on September 20, 2004.

The petition is DISMISSED.

A review of the file record reveals that a First Office Action was mailed to applicant on December 8, 2003. Since a response was not received before the expiration of the six-month statutory period for reply, the application became abandoned, and a Notice to that effect was mailed on August 12, 2004.

Applicant contends that the Office Action mailed December 8, 2003 was not received.

There is a strong presumption that mail properly addressed and delivered to the United States Postal Service was in fact delivered to the addressee. An allegation that an Office communication was not received may be considered in a formal petition for the withdrawal of the holding of abandonment, in accordance with *Delgar Inc. v. Schuyler*, 172 USPQ 513. However, the presumption that the Office communication was delivered to applicant may be overcome by a showing that the communication was not, in fact, received as indicated below.

Applicant's statements of non-receipt should include a statement by him, and by anyone else at applicant's correspondence address, that would have handled the Office communication. Applicant should also include any available documentary evidence of mail received, covering a reasonable period after the date of the Office communication, to show non-receipt of the communication in question. Copies of records on which the receipt date of the Office communication would have been entered had it been received, (e.g., a copy of the outside of the file maintained by applicant), are required if available. Also, a showing of any docket records, or other method which would serve as a reminder of a response due date, should be submitted. Whatever method applicant uses as a reminder, and submits in response to this decision should be adequately explained. Also, a statement is required that a search of the file maintained by applicant, or any other location where correspondence from the USPTO is kept,

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failed to find a copy of the Office communication in question. Finally, applicant must state that he was in fact at the correspondence address of record at the time the Office action would have been received.

Any such exhibits should be submitted as part of statement(s) showing that no Office communication was ever received.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.181" and should be mailed to the Commissioner for Patents, P.O. Box 1450, Technology Center 3600, Alexandria, VA 22313-1450.



Kenneth J. Dorner
Special Programs Examiner
Patent Technology Center 3600
(703) 308-0866

KJD/rwg: 2/02/05

THE INTERNATIONAL COMMERCIAL BANK OF CHINA

1-908
260

NOT VALID AFTER ONE YEAR
FROM THE DATE OF ISSUE

FENG YUAN BRANCH
REPUBLIC OF CHINA

DATE MAR-15 2005

FYN 009119

ON DEMAND AGAINST THIS DRAFT
PAY TO THE
ORDER OF U.S.A. PATENT AND TRADEMARK OFFICE

USD*****130.00
U.S. \$

USD ONE HUNDRED THIRTY 00/100 ONLY

ONE SIGNATURE REQUIRED
U.S. DOLLARS

TO: THE INTERNATIONAL COMMERCIAL BANK OF CHINA
61 LIBERTY STREET
NEW YORK, NY 10005

AUTHORIZED SIGNATURE
[Signature]

Application No. 10/350,003 Serial No. 10260090851075101010000300150
INVENTOR YAO-HSUN HUANG TITLE: Water suck device for feeding favorite domestic animals

SMALL ENTITY:

Applicant(s) : YAO-HSUN HUANG 3/6

PMR243

Appn. Title : Water suck device for feeding favorite....

Serial Number : 10260090851075101010000300150

Examiner : Elizabeth A. Shaw Filing Date : 06/23/2003

Date Mailed : Aug. 12, 2004 Group Art Unit : 3644

Other : 5 Attachment (and usp 170) Date Due :

Petition to request for withdrawal of the holding of the abandonment due to failure to receive the Office Action

Please mail back this postcard with the receiving stamp if the above listed items are correct.

急 URGENT 件



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Attachment



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

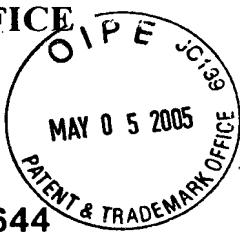
Serial Number: 10/600,327

Filing Date: 06/23/2003

Applicant(s) : YAO-HSUN HUANG

Title : Water suck device for feeding favorite domestic animals

EXAMINER : Elizabeth A. Shaw GROUP ART UNIT : 3644



Mailed Mar. 16, 2005

Feng-Yuan City,
Taiwan 420, R.O.C.

**Petition to request for withdrawal of the holding of the
abandonment due to failure to receive the Office Action**

TO : Mail Stop Petition

By facsimile : 703-872-9306.

Commissioner of the Patents
P.O. Box 1450,
Alexandria, Virginia 22313-1450,
U.S.A.

Dear Sir :

In response to the Office Notice of Abandonment of August 12, 2004 for the reason that applicant's failure to timely file a proper reply to the Office letter mailed on December 8, 2003. It is a great surprise because applicant didn't receive the office letter of December 8, 2003. So that applicant had no way to timely file a proper reply to said office letter and has no evidence to prove the above fact except a filing receipt and an Office Notice of the publication of this case. Accordingly, applicant respectfully requests for the withdrawal the holding of the Abandonment due to failure to receive the Office Action of December 8, 2003 and simultaneously supplements a copy of the above said office letter of December 8, 2003 or continuously examines this case. Enclosed herewith the petition fee. Your expeditious decision to make decision for this case is respectfully requested.

Respectfully submitted

YAO-HSUN HUANG

YAO-HSUN HUANG
Applicant Pro Se
P. O. Box 697,
Feng-Yuan City 420,
Taichung Hsien,
Taiwan, R.O.C.
Mar. 16, 2005

Attachment : (1) a check of USD130.

- (2) a copy the filing receipt...(2 pages)...
- (3) a copy the Office Notice of Publication...(1 page)...
- (4) a copy of the Office Notice of Abandonment...(2 pages)...
- (5) a copy of the returned mailing postcard (dated: Sep. 20, 2004).

PS. Applicant prior petition on Sep. 16, 2004 (without paying petition fee) gets no response from the USPTO.

Attachment



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Page 1 of 2

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
U.S. PATENTS & TRADEMARKS
Serial Number 22303-1170

APPL NO	FILING OR 371 (c) DATE	GRP ART UNIT	FIL FEE RECEIPT	ATTY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/600,327	06/23/2003	3643	375		5	2	1

CONFIRMATION NO. 6618

FILING RECEIPT



1000000010763359*

Date Mailed: 08/26/2003

YAO-HSUN HUANG
P.O. Box 697
Feng-Yuan City, Taichung Hsien, 420
TAIWAN

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Yao-Hsun Huang, Feng Yuan City - TAIWAN

Domestic Priority data as claimed by applicant

Foreign Applications

TAIWAN 091221222 12/23 2002

If Required, Foreign Filing License Granted: 08-26-2003

Projected Publication Date: 06/24/2004

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Water suck device for feeding favorite domestic animals

Preliminary Class

119

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related application(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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 Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/600,327	06/23/2003	Yao-Hsun Huang	

YAO-HSUN HUANG
 P.O. Box 697
 Feng-Yuan City, Taichung Hsien, 420
 TAIWAN

CONFIRMATION NO. 6618



OC000000013052794

Title: Water suck device for feeding favorite domestic animals

Publication No. US-2004-0118355-A1
Publication Date: 06/24/2004

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publicly available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently <http://pair.uspto.gov/>. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at (703) 305-3028.

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,327	06/23/2003	Yao-Hsun Huang		6618
7590	08/12/2004		EXAMINER	
YAO-HSUN HUANG			SHAW, ELIZABETH ANNE	
P.O. Box 697				
Feng-Yuan City, Taichung Hsien, 420			ART UNIT	PAPER NUMBER
TAIWAN			3644	
DATE MAILED: 08/12/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.



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Notice of Abandonment

	Application No.	Applicant(s)
	10/600,327	HUANG, YAO-HSUN
	Examiner	Art Unit
	Elizabeth A. Shaw	3644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on 08 December 2003.
 (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
 (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 (d) No reply has been received.

2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85)
 (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
 The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 (c) The issue fee and publication fee, if applicable, has not been received

3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 (b) No corrected drawings have been received.

4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application

6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

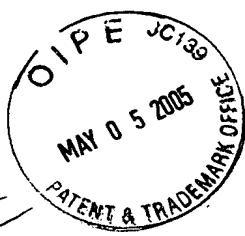
7. The reason(s) below.

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

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Attachment

(5)



From:
Box Withdrawal of Abandonment

Commissioner of the Patents
Washington, DC 20231
U.S.A.

Tel:(703)308-4357

By facsimile : 703- 872-9306



23 USA
Combined Current National File No.

P.O. Box 697,
Fongyuan City 420,
Taichung County,
Taiwan (R.O.C.)
(420 臺灣省臺中縣豐原鎮局第697號信箱)
TEL:886-4-2527-0476

急 URGENT 件



Petition to request for withdrawal
of the holding of the Abandonment
due to failure to receive the Office
Action. (letter)

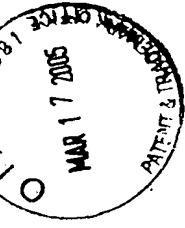
Appendix : (1) a copy the filing receipt... (2 pages)...

(2) a copy the Office Notice of Publication... (1 page) ...
(3) a copy of the Office Notice of Abandonment... (2 pages) ...

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SMALL ENTITY :

Applicant (s) : YAO-HSUN HUANG *3/6*
Appn. Title : Water suck device for feeding favorite...
Serial Number : 10/600327 Filing Date : 05/03/2004
Examiner : Elizabeth A. Shaw Group Art Unit : 3644
Date Mailed : Aug. 12, 2004 Date Due :
Other : 5 Attainment (and usp 110)



Petition to request for withdrawal of the holding of the
abandonment due to failure to receive the Office Action
Please mail back this postcard with the receiving
stamp if the above listed items are correct.

URGENT IT